

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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SUSAN GARVEY,

Index No. 106756/07

Plaintiff,

-against-

**NOTICE OF FILING  
NOTICE OF REMOVAL**

JULES ABADI,

Defendant.  
-----X

**SIRS:**

**PLEASE TAKE NOTICE** that in the above-entitled action, defendant, JULES ABADI, has this day filed a Notice of Removal, a copy of which is attached hereto, in the Office of the Clerk of the United States District Court Southern District of New York. You are also advised that the defendant, upon filing of said Notice of Removal, filed a copy of the Notice with the Clerk of the Supreme Court for the State of New York, County of New York, which has effected this removal, in accordance with 28 U.S.C. § 1446(b).

Dated: New York, New York  
July 6, 2007

Yours, etc.,

RUBIN, FIORELLA & FRIEDMAN LLP

By: \_\_\_\_\_

Yoon S. Han

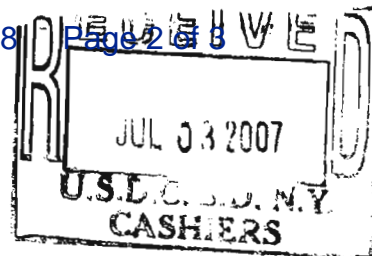
*Attorneys for Defendant*

JULES ABADI

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New York, New York 10017

(212) 953-2381



James E. Mercante (JS 4231)  
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292 Madison Avenue  
New York, New York 10017  
(212) 953-2381  
Attorneys for JULES ABADI

JUDGE STANTON

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

07 CIV 6189

Index No.

-----X  
SUSAN GARVEY,

Plaintiff,

NOTICE OF REMOVAL

-against-

JULES ABADI,

Defendant.  
-----X

**PLEASE TAKE NOTICE** that on this date JULES ABADI (hereinafter "ABADI"), by his undersigned counsel, RUBIN, FIORELLA & FRIEDMAN LLP, has filed a Notice of Removal pursuant to 28 U.S.C. 1441 and 28 U.S.C. 1446 in the office of the Clerk of the United States District Court for the Southern District of New York. Said defendant ABADI shows:

1. Plaintiff, SUSAN GARVEY, commenced this action against ABADI in the Supreme Court of the State of New York, County of New York, by filing a Summons and Verified Complaint on or about May 18, 2007. A true copy of plaintiff's Summons and Verified Complaint is annexed hereto as Exhibit "A".
2. The Summons and Verified Complaint were delivered to ABADI on or about June 18, 2007.
3. The allegations contained in plaintiff's Verified Complaint pertain to a claim for personal injury which allegedly occurred aboard a vessel in the navigable waters of Miami-Dade County, State of Florida.
4. Jurisdiction is conferred upon this Court by 28 U.S.C. §1333, which provides that the District Courts shall have original jurisdiction of any civil case of admiralty or maritime jurisdiction.

5. Notice of Removal is filed with this Court within thirty days of ABADI's receipt, through service or otherwise, of a copy of the initial pleading setting forth the claim for relief upon such action or proceeding as provided by 28 U.S.C. 1446(b).

6. ABADI hereby removes this action to the United States District Court for the Southern District of New York.

7. After filing of the Notice of Removal in the United States District Court for the Southern District of New York, written notice of the filing of this Notice of Removal will be given by the attorneys for ABADI to the attorneys for plaintiff, as provided by law, and a copy of the Notice of Removal will be filed with the Clerk of the Supreme Court of the State of New York, County of New York.

8. ABADI has good and sufficient defenses to this action.

9. No previous application for the relief sought herein has been made to this or any other court.

**WHEREFORE**, JULES ABADI gives Notice of Removal of this case to the United States District Court for the Southern District of New York.

Dated: New York, New York  
July 2, 2007

RUBIN, FIORELLA & FRIEDMAN LLP  
Attorneys for JULES ABADI

By: 

James E. Mercante (JM 4231)

Michael E. Stern (MS 9113)

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Our File No. 567-8963